

### **REMARKS**

Claims 1-20 are pending in the application. Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by U.S. Publication No. 20020069365 issued to Howard et al. in view of U.S. Patent Publication 2004/0205396 issued to Wu et al. Applicants respectfully traverse and request reconsideration and full allowance of all pending claims.

The present application has a priority date of February 12, 2004. Wu was filed on March 9, 2004, and thus does not qualify as prior art. Applicants note that Wu has a foreign application priority date of March 11, 2003, however this date does not qualify as prior art unless the Examiner establishes that the foreign parent was filed in English under WIPO designating the United States. MPEP § 2136. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1-20 and issue a notice of allowance without further delay.

### **CONCLUSION**

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any additional fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on February 14, 2008.

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Respectfully submitted,

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